IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 7280 of 2005

Between:

Sri Venkat Sai Sc Labour Welfare Society Champapet,

Ranga Reddy District, rep. by its Secretary
B.Sridhar.

..... PETITIONER

AND

1 The State of AP., Rep. by its Secretary,

Municipal Administration Department,
Secretariat Buidlings, Hyderabad.
2 The Director of Municipal Administration,

A.C.Guards, Hyderabad.
3 The Commissioner, Gaddiannaram Municipality,

Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more in the nature of writ of Mandamus calling for the Tender Notice No.F1/270/2005, dt.19.3.2005 published in Eenadu Daily News Paper dt.31.3.2005 issued by the 3rd respondent municipality and declare the same as illegal, arbitrary and contrary to the GOMs.No.581, MA. dt.6.11.1996 and GOMs.No.30, MA, dt.18.1.2000 and further direct the respondents to entrust the work to the petitioner-Society interims of the GOMs.No.581, MA, Dt.6.11.1996 and GOMs.No.30, MA Dt.18.1.2000 and pass such other and further order or orders.

Counsel for the Petitioner: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR MUNCIPAL ADMN. & URBAN DEV.

Counsel for the Respondent No.3: MR P.RADHA KRISHNA

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed seeking Writ of Mandamus declaring that the Tender Notice No.F1/270/2005, dated 19.03.2005 published in Eenadu Daily News Paper dated 31.03.2005 issued by the

3rd respondent, as illegal and arbitrary and further seeking a direction to the respondents to entrust the work to the petitioner society in terms of G.O.Ms.No.581, MA, dated 06.11.1996 and G.O.Ms.No.30, MA, dated 18.01.2000.

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the 3rd respondent.

The learned counsel for the petitioner contended that in contravention of the terms of G.O.Ms.No.581, MA, dated 06.11.1996 and G.O.Ms.No.30,MA, dated 18.01.2000, the respondents issued the impugned tender notification, which is illegal and arbitrary.

The learned counsel for the 3rd respondent contended that the petitioner society is a newly formed society and there are no retired public health workers, their children and other SC/ST community people who worked as Badili worker in Municipal Sanitation work and hence question of awarding the sanitation work directly to the petitioner society does not arise.

The learned counsel for the petitioner has filed a copy of proceedings of the Commissioner, Municipal Corporation of Hyderabad, dated 14/15.02.2005 and showing that the Municipal Corporation of Hyderabad has allotted work to the petitioner society for a period of two months on a trial basis.

In view of the material papers filed by the petitioner, the contention of the 3rd respondent that the petitioner society is a newly formed society and there are no Badili sanitary workers therein cannot be considered.

In the circumstances, the Writ Petition is disposed of, directing the respondents to entrust work to the petitioner society in terms of G.O.Ms.No.30 MA, dated 18.01.2000, within a period of four weeks from the date of receipt of a copy of this order. No order as to costs.

Dated: 06.06.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Secretary,

Municipal Administration Department,

Government of Andhra Pradesh,

Secretariat Buildings, Hyderabad

2. The Director of Municipal Administration,

A.C.Guards, Hyderabad

3. The Commissioner, Gaddiannaram

Municipality, Ranga Reddy District

4. Two CCs to the Government Pleader for

Municipal Administration and Urban Development,

High Court Buildings, Hyderabad (OUT)

5. Two CD copies